

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HARRIET MENEZES,

Plaintiff,

V.

ASSOCIATION OF FLIGHT ATTENDANTS-
CWA, AFL-CIO, et al.,

Defendants.

Civil Case No. 04-10365JLT
Judge Tauro

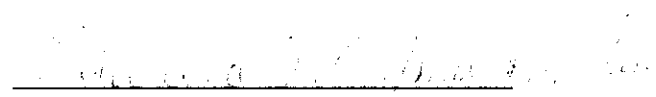
MOTION TO DISMISS OF DEFENDANTSTHE ASSOCIATION OF FLIGHT ATTENDANTS-CWA AND PATRICIA FRIEND, PAUL MAC KINNON, SUE COOK, KAREN SCOPA, SHIRLEY BARBER AND MARIA TORRE AND CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.2

Defendant the Association of Flight Attendants - CWA, AFL-CIO (“AFA” or “the Union”), and individual defendants Patricia Friend, Paul Mac Kinnon, Sue Cook, Karen Scopa, Shirley Barber and Maria Torre, by and through their attorneys and pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, hereby move for dismissal of the Complaint in its entirety as the Court lacks jurisdiction over the subject matter thereof, and plaintiff has failed to state a claim upon which relief can be granted against the individual defendants. This motion is supported by the accompanying Memorandum of Points and Authorities, and exhibits attached thereto, as well as any oral argument presented before this Court.

Attorney Gilmartin consulted with Ms. Menezes in connection with the request for extension of time. She has opposed the extension and the Motion.

Date: September 10, 2004

Respectfully submitted,



Edward J. Gilmartin, Esq.
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Attorneys for AFA, Patricia Friend, Paul
Mac Kinnon, Sue Cook, Karen Scopa,
Shirley Barber, and Maria Torre

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion to Dismiss has been served upon the Plaintiff, Harriett Menezes, 169 Thoreau Street, Apt. 8, Concord, MA 01742 by first class mail this 10th day of September, 2004.



Mary T. Sullivan